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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JEREMY JOHN HALGAT, an individual,

Plaintiffs,

vs.

UNITED STATES OF AMERICA, et. al.,

Defendants.

CASE NO.: 2:22-cv-00592-RFB-EJY

**STIPULATION TO EXTEND DEADLINE
TO RESPOND TO THE GOVERNMENT
DEFENDANTS' MOTIONS TO DISMISS
[ECF NOS. 34, 35, AND 36]**

(THIRD REQUEST)

NOW COMES the Plaintiff, JEREMY HALGAT ("Plaintiff"), by and through his attorneys, Melanie A. Hill and Melanie Hill Law PLLC, and Defendants, UNITED STATES OF AMERICA, DAVID N. KARPEL, DAVID ARBOREEN, AGOSTINO BRANCATO, and MATTHEW WEAR, by and through their attorney, Glenn Greene, who hereby stipulate that the deadline for Plaintiff to respond to the Government Defendants' Motions to Dismiss [ECF Nos. 34, 35, and 36] be extended pursuant to Local Rule IA 6-1.

This is the third request for an extension of the deadlines. In support of this Stipulation and Request, the parties state as follows:

1. The Government Defendants filed their Motions to Dismiss on October 7, 2022 [ECF Nos. 34, 35, and 36].

2. Plaintiff's deadline to respond to the Motions to Dismiss was originally November 14, 2022.

1 3. The parties stipulated to extend the deadline to December 6, 2022 to allow counsel
2 for Plaintiff to file a motion to be added to the Protective Order in place in the underlying criminal
3 case so that Plaintiffs may share the criminal discovery with undersigned counsel. The discovery is
4 necessary to further plead the complaint in this case in response to arguments made in the currently
5 pending Motions to Dismiss.

6 4. Prior to filing the prior stipulation and the motion, counsel for Plaintiff also
7 conferred with the local U.S. Attorneys' office regarding the same. Counsel determined that a motion
8 would be necessary to allow counsel for Plaintiff to be added to the Protective Order in the underlying
9 criminal case so that discovery may be reviewed by counsel for Plaintiff and used to further plead the
10 complaint in this case. It is also undersigned counsel's understanding that the United States has no
11 objection to Plaintiff's counsel being added to the protective order upon further motion and order of
12 the court.

13 5. On November 18, 2022, Plaintiff's counsel filed a Motion to Be Added to the
14 Protective Order [ECF No. 44] in this case. The Court has not yet ruled on this motion. However, in
15 another case arising out of the same criminal prosecution, the Motion was denied by Magistrate Judge
16 Youchah without prejudice by Minute Order on November 21, 2022 [ECF No. 20 in Case No. 2:22-
17 cv-00328-JCM-EJY], directing Plaintiff's counsel to file the motion in the underlying criminal case.

18 6. To allow time for Plaintiff's counsel to file the motion in the criminal case, to allow
19 the Court time to rule on the motion, and to allow Plaintiff's counsel to review the underlying criminal
20 discovery for purposes of prosecuting this civil case and further responding to the pending Motions
21 to Dismiss and/or filing an Amended Complaint, the parties have stipulated to extend Plaintiff's
22 response deadline to the Motions to Dismiss to January 18, 2023. The parties have further stipulated
23 to allow Defendants UNITED STATES OF AMERICA, DAVID N. KARPEL, DAVID
24 ARBOREEN, AGOSTINO BRANCATO, and MATTHEW WEAR until February 22, 2023 to file
25 its response to Plaintiff's filing.

26 7. This Request for an extension of time is not sought for any improper purpose or
27 other purpose of delay. Rather, it is sought by the parties solely to allow sufficient time for Plaintiff's
28 counsel to file the motion in the criminal case, to allow the Court time to rule on the motion, and to

1 allow Plaintiff's counsel to review the underlying criminal discovery for purposes of prosecuting this
2 civil case and further responding to the pending Motions to Dismiss and/or filing an Amended
3 Complaint.

4 WHEREFORE, the parties respectfully request that the Court extend the deadlines as stipulated
5 to herein.

6 DATED this 6th day of December, 2022.

DATED this 6th day of December, 2022.

7 BRIAN M. BOYNTON
8 Principal Deputy Assistant Attorney General
9 Civil Division

MELANIE HILL LAW PLLC

10 C. SALVATORE D'ALESSIO, JR.
11 Director
12 Torts Branch, Civil Division


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Agostino Brancato, and Matthew Wear*

22
23
24 **IT IS SO ORDERED.**

25
26 December 7, 2022.
27 **DATE**


RICHARD E. BOULWARE, II
United States District Court